IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BRANDON MARTIN,

     Plaintiff,   ORDER
  v.

                                    Case No. 16-cv-382-wmc

JERROD MCDONALD, et al.

     Defendants.

Plaintiff Brandon Martin, a prisoner in the custody of the Illinois Department of Corrections, has submitted a proposed civil action. Plaintiff has filed a certified copy of a trust fund account statement in support of the motion for leave to proceed without prepaying the fee. After considering the motion and supporting documentation, the court concludes that plaintiff qualifies for indigent status.

Even when a prisoner litigant qualifies for indigent status, the litigant must pay a portion of the fee returned by the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from plaintiff's trust fund account statement, I conclude plaintiff's initial partial filing fee to be $8.00. For this case to proceed, plaintiff must submit this amount on or before July 5, 2016.

ORDER

IT IS ORDERED that,

1.   Plaintiff Brandon Martin is assessed $8.00 as an initial partial payment of the $350.00 fee for filing this case. Plaintiff is to submit a check or money order made payable

to the clerk of court in the amount of $8.00 or advise the court in writing why plaintiff is not

able to submit the assessed amount on or before July 5, 2016.

  2. If, by July 5, 2016, plaintiff fails to make the initial partial payment or show

cause for failure to do so, plaintiff will be held to have withdrawn this action voluntarily and

the case will be closed without prejudice to plaintiff filing this case at a later date.

  3. No further action will be taken in this case until the clerk's office receives

plaintiff's initial partial filing fee as directed above and the court has screened the complaint

as required by the Prisoner Litigation Reform Act, 28 U.S.C. § 1915A. Once the screening

process is complete, a separate order will issue.

   Entered this 9th day of June, 2016.

     BY THE COURT:

     /s/
     PETER OPPENEER
     Magistrate Judge